



Lauren K. Schwartz
Senior Litigation Counsel
600 W. Chicago Ave. Suite 400
Chicago, IL 60654
Phone: (312) 459-5426
Email: lschwartz@groupon.com

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Via E-Filing

The Honorable Edgardo Ramos
United States Courthouse
40 Foley Square
New York, NY 10007-1312

Re: *Herbalist & Alchemist, Inc. v. Alurent Prods., Inc.*, Case No. 16-cv-9204 (ER)

Dear Judge Ramos:

Groupon, Inc. is in receipt of your Order dated July 20, 2017 ordering it to show cause why it should not be ordered to takedown the material found to be infringing in the above-referenced case. (Dkt. No. 34) Groupon had already complied with the plaintiff's request by stopping the deal and taking down the infringing material from its website last April 2017 in response to plaintiff's March 29, 2017 request. (Plaintiff claims that it submitted a DMCA request to Groupon on January 24, 2017. Groupon did not receive this request, likely due to a technical issue experienced on that same date.)

Until it received the Court's Order, Groupon was not aware that its actions were not satisfactory to the plaintiff. In response, Groupon has since redirected the page at issue in Plaintiff's Exhibit B so that anyone typing in the URL where the deal was previously located now sees only thegroupon.com landing page. Groupon has also de-indexed the deal link so that it also does not show up in a web browser search. I have spoken to Plaintiff's counsel and she has indicated that these actions are satisfactory.

In addition, after learning from Plaintiff's counsel that Herbalist & Alchemist, Inc. has never sold products on our platform, Groupon has taken down, redirected, and de-indexed all deals using any infringing material.

I trust these actions will end Groupon's involvement in this case. If the Court requires any further action on Groupon's part, please do not hesitate to contact me at the contact information above.

Sincerely,

Lauren K. Schwartz

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Senior Litigation Counsel